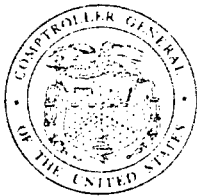


DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

60131

97767

FILE: B-185083

DATE: November 10, 1975

MATTER OF: Unidynamics/St. Louis, Inc.

DIGEST:

Protests involving Panama Canal Company's procurements are not considered by GAO since bid protest jurisdiction is based on account settlement authority and Panama Canal Company's accounts are not subject to settlement by GAO.

By telegram dated October 7, 1975, Unidynamics/St. Louis, Inc., protested the procurement by the Panama Canal Company of two workmen's elevators for the Panama Canal locks chambers under invitation for bids (IFB) 99101-BH, from Heede International.

The General Accounting Office derives its authority to determine bid protests through the "Budget and Accounting Act, 1921" (42 Stat. 20) as codified in Title 31 of the United States Code; more specifically, 31 U.S.C. § 71 gives general authority to the General Accounting Office to settle and adjust all accounts in which the United States is concerned, either as debtor or creditor.

Section 65 of Title 2 of the Panama Canal Zone Code (76A Stat. 11 (1962)) sets forth in part the general powers of the Panama Canal Company as follows:

"(a) The Panama Canal Company may:

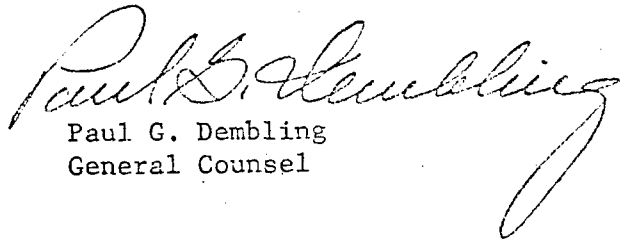
* * * * *

"(3) sue and be sued in its corporate name,

* * * * *

"(5) determine the character of, and necessity for, its obligations and expenditures and the manner in which they shall be incurred, allowed, and paid, and incur, allow, and pay them, * * *"

The statute essentially gives the Company authority to settle its own accounts. Our Bid Protest Procedures, published at 40 Fed. Reg. 17979 (1975), provide only for consideration of protests against proposed awards or awards of contracts by or for an agency of the Federal Government whose accounts are subject to settlement by the GAO. Therefore, we must decline to render a decision on the matter.


Paul G. Dembling
General Counsel